

DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

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David W. Goodrich  
January 16, 2002

held under such conditions are adulterated within the meaning of Section 402(a)(4) of the Act.

You are adulterating the penicillin drug that your firm uses on cows within the meaning of Section 501(a)(5) when you fail to use the drug in conformance with its approved labeling. Your use of the drug without following the labeled withdrawal period causes the drug to be unsafe to use.

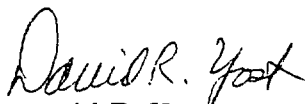
The above is not intended to be an all-inclusive list of violations. As a producer of animals offered for use as food, you are responsible for ensuring that your overall operation and the foods you distribute are in compliance with the law.

You should take prompt action to correct the above violations and to establish procedures whereby such violations do not recur. Failure to do so may result in regulatory action without further notice such as seizure and/or injunction.

It is not necessary for you to personally ship an adulterated animal in interstate commerce to be responsible for a violation of the Act. The fact that you caused the adulteration of an animal that was sold and subsequently offered for sale to a slaughterhouse that ships in interstate commerce is sufficient to hold you responsible for a violation of the Act.

You should notify this office in writing within 15 working days of the steps you have taken to bring your firm into compliance with the law. Your response should include each step being taken, that has been taken, or will be taken to correct the violations and prevent their recurrence. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time frame within which the corrections will be completed. Please include copies of any available documentation demonstrating that corrections have been made. Your reply should be addressed to Compliance Officer Timothy G. Philips at the address on the letterhead.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Yost". The signature is fluid and cursive, with the first name "David" being the most prominent.

David R. Yost  
Acting Director  
Minneapolis District

TGP/ccl